

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CRAIG T. BATES,

Plaintiff,

v.

JON LITSCHER, et al.,

Defendants.

ORDER

Case No. 16-cv-745-wmc

On November 2, 2016, plaintiff Craig T. Bates, a prisoner in the custody of the Wisconsin Department of Corrections, was assessed \$1.26 as an initial partial filing fee in this case. Now, plaintiff has submitted a letter request to waive the initial partial payment. Plaintiff provides two interview/information requests from his institution's business office, one of which has a notation that says, "Mr. Bates, you have no money in your regular or release account." Accordingly, it appears that plaintiff presently has no means with which to pay the filing fee or to make an initial partial payment. Under these circumstances, the court will grant plaintiff's motion to waive the initial partial filing fee. Even if this court ultimately determines that plaintiff's complaint cannot go forward, plaintiff is advised that the full \$350 filing fee for indigent litigants remains plaintiff's obligation. *See* 28 U.S.C. § 1915A.

Because plaintiff is a prisoner, plaintiff is subject to the Prison Litigation Reform Act, which requires the court to screen the complaint to determine whether any portion is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief from a defendant who is immune from such relief.

ORDER

IT IS ORDERED that,

1. The motion filed by plaintiff Craig T. Bates to waive the initial partial filing fee in this case is GRANTED.

2. No further action will be taken in this case until the court has screened the complaint as required by the Prisoner Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will issue.

Entered this 5th day of January, 2017.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge